

## Message Text

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12  
ACTION CU-03

INFO OCT-01 EUR-12 ISO-00 OES-06 CIAE-00 INR-07 NSAE-00

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FM AMEMBASSY PRAGUE  
TO SECSTATE WASHDC PRIORITY 986  
INFO USIA WASHDC

C O N F I D E N T I A L PRAGUE 2584

E.O. 11652: GDS  
TAGS: PFOR, SCUL, CZ  
SUBJECT: CULTURAL/SCIENTIFIC EXCHANGES TALKS

REF PRAGUE 2550

1. THE PIVOTAL ISSUE IN REACHING AGREEMENT WITH CZHOSLOVAKS  
ON A CULTURAL/EDUCATIONAL/SCIENTIFIC/TECHNOLOGICAL  
EXCHANGE AGREEMENT REMAINS THE SEARCH FOR MUTUALLY  
ACCEPTABLE REFERENCE TO "INDIVIDUALS" IN THE IMPLEMENTATION  
PARAGRAPH. THIS MESSAGE LAYS OUT THE EMBASSY'S APPROACH  
TO NEGOTIATION OF SUCH A FORMULATION -- AN APPROACH  
WE WILL FOLLOW UNLESS OTHERWISE INSTRUCTED BY THE DEPARTMENT.

2. AT PRESENT, THE CZECHOSLOVAKS CONTINUE TO PRESS  
FOR ACCEPTANCE OF THE FOLLOWING TEXT: "THE PARTIES  
WILL ENCOURAGE AND FACILITATE, AS APPROPRIATE, ADDITIONAL  
EXCHANGES AND COOPERATION, INCLUDING THOSE OF INDIVIDUALS, WHICH  
WILL BE AGREED UPON BY THE CONTRACTING PARTIES OR BY  
INTERESTED ORGANIZATIONS ACTIVE IN THE FIELDS OF SCIENCE,  
TECHNOLOGY, CULTURE AND EDUCATION." (PRAGUE 2346) HOWEVER, WE  
BELIEVE GOC DELEGATION CHIEF ZEMLA WILL EVENTUALLY BE ABLE TO  
DROP THIS TEXT IN FAVOR OF A COMPROMISE. WE THINK HE IS PLAYING  
A WAITING GAME.

3. FOR OUR PART, WE CONTINUE TO ARGUE FOR ACCEPTANCE OF THE  
FOLLOWING FORMULATION: "THE PARTIES AGREE TO ENCOURAGE  
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AND FACILITATE, AS APPROPRIATE, ADDITIONAL EXCHANGES AND COOPERATION

WHICH MAY BE AGREED UPON BY THE CONTRACTING PARTIES OR ARRANGED IN ACCORDANCE WITH THE OBJECTIVES OF THIS AGREEMENT BY INTERESTED ORGANIZATIONS OR INDIVIDUALS ACTIVE IN THE FIELDS OF CULTURE, EDUCATION, SCIENCE AND TECHNOLOGY." ALTHOUGH THIS TEXT PARALLELS THE ONE ACCEPTED BY BULGARIA, WE STRONGLY DOUBT THAT CZECHOSLOVAKIA WILL AGREE TO IT, AND WE ARE AWAITING WHAT WE WOULD JUDGE TO BE THE RIGHT TACTICAL MOMENT TO OFFER AN ALTERNATIVE.

4. SUBSTANTIATIVELY, OUR CONFRONTATION WITH THE CZECHOSLOVAKS CENTERS UPON THE ROLE OF INDIVIDUALS IN MAKING THEIR OWN ARRANGEMENTS FOR EXCHANGES AND COOPERATION --I.E., WE ADVANCE LANGUAGE GIVING INDIVIDUALS SUCH A ROLE; WHILE THE CZECHOSLOVAKS PRESS FOR A FORMULATION DENYING INDIVIDUALS ANY SUCH ROLE AND CALLING INSTEAD, FOR EFFECTIVE STATE CONTROL OVER ALL EXCHANGES. IN THIS SITUATION, WE HAVE ASKED FOR, AND RECEIVED, THE DEPARTMENT'S AUTHORIZATION (STATE 214859) TO USE THE FOLLOWING TEXT AIMED AT GETTING AROUND THE PROBLEMS OF SPECIFYING WHO WILL BE RESPONSIBLE FOR "ARRANGING," AS DISTINCT FROM SIMPLY "ENCOURAGING," EXCHANGES: "THE CONTRACTING PARTIES WILL ENCOURAGE AND FACILITATE, AS APPROPRIATE, ADDITIONAL COOPERATION AND EXCHANGES, INCLUDING THOSE OF INDIVIDUALS, IN THE FIELDS OF SCIENCE, TECHNOLOGY, CULTURE AND EDUCATION." ZEMLA HAS TRIED TO PERSUADE US TO DROP EXPLICIT LANGUAGE ON THE ROLE OF INDIVIDUALS IN THE IMPLEMENTATION ARTICLE AND TO ACCEPT A CZECHOSLOVAK "CONCESSION" ALLOWING REFERENCE TO INDIVIDUALS IN THE SEPARATE ARTICLES DEALING WITH EXCHANGES IN OUR BILATERAL CULTURAL/EDUCATIONAL AND SCIENTIFIC/ TECHNOLOGICAL RELATIONS. WE CONSIDER THIS "CONCESSION" EXTREMELY MARGINAL AND NO SUBSTITUTE FOR A CLEAR REFERENCE TO INDIVIDUALS IN THE IMPLEMENTATION ARTICLE--THE UMBRELLA DOCUMENT FOR THE ENTIRE AGREEMENT.

5. IN OUR CONTINUING NEGOTIATIONS, UNTIL THIS MATTER IS RESOLVED, THE EMBASSY WILL PROCEED AS FOLLOWS: (A) ATTEMPT TO GAIN GOC ACCEPTANCE OF LANGUAGE LIKE THAT IN PARA 3 PERMITTING SOME MEASURE OF INDIVIDUAL RESPONSIBILITY FOR ARRANGING EXCHANGES UNDER THE BILATERAL AGREEMENT; (B) IF NECESSARY, ABANDON THAT EFFORT AND SEEK GOC ACCEPTANCE OF OUR COMPROMISE TEXT IN PARA 4--WHICH WE THINK ZEMLA MIGHT POSSIBLY ACCEPT, SINCE IT

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IS FULLY CONSISTENT WITH CSCE BASKET 3 FORMULATIONS ALREADY ACCEPTED BY CZECHOSLOVAKIA; (C) SHOULD WE BE GIVEN A FURTHER CZECHOSLOVAK COMPROMISE TEXT, REFER IT TO THE DEPARTMENT WITH OUR RECOMMENDATIONS IN LIGHT OF THE OVERALL NEGOTIATING SITUATION. MOVING QUICKLY TO OPTION (B) COULD POSSIBLY ACCELERATE THE TALKS TOWARD A RAPID CONCLUSION, BUT AT PRESENT WE SEE NO REASON TO HURRY--ESPECIALLY SINCE THE CZECHOSLOVAKS THEMSELVES HAVE ESTABLISHED A DEADLINE OF COMPLETING THE TALKS

BY OCTOBER. WHILE WE HAVE AVOIDED COMMITMENT TO ANY PARTICULAR TIME FRAME. TACTICALLY, WE ARE IN A FAVORABLE POSITION TO WAIT OUT DR. ZEMLA FOR POSSIBLE FURTHER STEPS BY THE CZECHOSLOVAK SIDE TOWARD A FINAL COMPROMISE OF THIS CENTRAL ISSUE.

6. SINCE I PROBABLY WILL MEET WITH DR. ZEMLA TO REFINE DIFFERENCE PRIOR TO OUR NEXT NEGOTIATING SESSION, TENTATIVELY SCHEDULED FOR SEPTEMBER 23, IT WOULD BE IMPERATIVE TO RECEIVE A REPLY TO THIS ISSUE AS WELL AS THOSE OUTLINED IN REFTTEL BY NO LATER THAN COB PRAGUE SEPTEMBER 20.

BYRNE

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